HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO. 5950 OF 1995

BETWEEN

S. Mallikarjuna

……**Petitioner**

And

The District Collector/Executive Director,
Andhra Pradesh State Housing Corporation,
Ranga Reddy District.

……**Respondent**

:: O R D E R::

Counsel for the Petitioner : Shri N. Chakravarthy
for Shri S.R. Ashok

Counsel for the Respondent : Shri K. Mohan Rami Reddy

Dated: 12.09.2006

In this petition, the petitioner has prayed for quashing notice dated 6-2-1995 issued by District Collector-cum-Executive Director, Andhra Pradesh State Housing Corporation (respondent herein) requiring him to show cause against his proposed removal from service.

The petitioner joined service as Works Inspector under the Andhra Pradesh State Housing Corporation on 8-11-1987. While he was posted in Suraram Urban Housing Colony, certain complaints were received by the respondent regarding use of material of inferior quality in the construction of houses for weaker sections of the society. After getting a preliminary enquiry conducted, the respondent issued charge memo dated 8-11-1994 and called upon the petitioner to show cause as to why disciplinary action may be not taken against him. The latter filed reply dated 19-12-1994 and denied the allegations. Thereafter, the respondent issued the impugned notice proposing to remove the petitioner from service.

On 5-9-2006, learned counsel for the respondent made a request for grant of seven days time to enable him to file counter-affidavit. His request was rejected, but the case was adjourned for today with a direction to the respondent to appear in person along with the relevant records.

In compliance of the above mentioned direction, Shri L. Prem Chandra Reddy, District Collector-cum-Executive Director of Andhra Pradesh State Housing Corporation has appeared in person. He made a statement that appropriate action in furtherance of charge memo dated 08.11.1994 will be taken against the petitioner after complying with the relevant rules, if any, and

principles of natural justice.

In view of the statement made by Shri L. Prem Chandra Reddy, I do not consider it necessary to adjudicate the issues raised in the writ petition on merits and dispose of the same as infructuous with a direction that action in furtherance of charge memo dated 8-11-1994 shall be taken by the competent authority and appropriate order be passed within a maximum period of three months after complying with the rules of natural justice and giving the petitioner reasonable opportunity of hearing.

G.S.SINGHVI, CJ

ksld
12.09.2006

Note:
Court Officer is directed to give attested copies
Of this order to the counsel for the parties.

(By Order)
svs
PS to HCJ